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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JOSEPH SALIM, an individual,

Plaintiff,

vs.

U.S. CENTER FOR SAFESPORT, a Colorado non-  
profit corporation; and, DOES 1 through 10, inclusive,

Defendants.

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**COMES NOW PLAINTIFF JOSEPH SALIM**, for his Petition against Defendant U.S. CENTER  
FOR SAFESPORT; and, Does 1 through 10, inclusive, and states as follows:

**NATURE OF THE CASE**

1. This case arises from an October 24, 2018 Arbitration Award (“Award”) issued by Arbitrator  
Christian Dennie in the matter of an alleged violation of the SafeSport Code by Plaintiff Joseph Salim.

2. In the Award, the Arbitrator ruled that Plaintiff Joseph Salim “is permanently prohibited from  
participating in any capacity, in any activity or competition authorized by, organized by, or under the  
auspices of the United States Olympic Committee, and/or a Local Affiliated Organization of a national

governing body recognized by the United States Olympic Committee” [hereinafter referred to as “the Sanction”].

3. The Sanction, which amounts to a lifetime ban from coaching or teaching, violates public policy, in that it will permanently preclude Plaintiff from earning a living.

4. For the reasons stated herein, Plaintiff submits that the Award should be vacated pursuant to the Federal Arbitration Act, 9 U.S. C. §§ 1-14. Alternatively, Plaintiff submits that the Award should be remanded for the determination of a proportionate sanction.

#### **THE PARTIES AND THE UNDERLYING ARBITRATION**

5. Plaintiff Joseph Salim is a taekwondo coach and instructor, residing and working within this judicial district.

6. Defendant U.S. CENTER FOR SAFESPORT, is, and at all material times mentioned was, a non-profit corporation that is incorporated in Colorado and has its principal place of business in Denver, Colorado.

7. Pursuant to 36 U.S.C. §220541(a), Defendant U.S. CENTER FOR SAFESPORT “(1) serve[s] as the independent national safe sport organization and be recognized worldwide as the independent national safe sport organization for the United States; (2) exercise[s] jurisdiction over the [United States Olympic Committee], each national governing body, and each paralympic sports organization with regard to safeguarding amateur athletes against abuse, including emotional, physical, and sexual abuse, in sports ... (4) maintain[s] an office for response and resolution that shall establish mechanisms that allow for the reporting, investigation, and resolution, pursuant to subsection (c), of alleged sexual abuse in violation of the Center's policies and procedures; and (5) ensure[s] that the mechanisms under paragraph (4) provide fair notice and an opportunity to be heard and protect the privacy and safety of complainants.” Pursuant to 36 U.S.C. §220541(c), Defendant U.S. CENTER FOR SAFESPORT utilizes binding arbitration administered by JAMS “to resolve allegations of sexual abuse within its jurisdiction to determine the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official, who is the subject of such an allegation, to participate in amateur athletic competition.”

8. On or about May 23, 2017, Defendant U.S. CENTER FOR SAFESPORT began an investigation of Plaintiff Joseph Salim for a possible violation of the SafeSport Code. On or about July 30,

1 2018, Defendant U.S. CENTER FOR SAFESPORT issued its “Notice of Director’s Decision,” finding that  
2 (i) Plaintiff Joseph Salim had violated the SafeSport Code; and (ii) determining that “Beginning on July 30,  
3 2018, Responding Party Joseph Salim is permanently prohibited from participating, in any capacity, in any  
4 activity or competition authorized by, organized by, or under the auspices of the United States Olympic  
5 Committee, the national governing bodies recognized by the United States Olympic Committee, and/or a  
6 Local Affiliated Organization of a national governing body recognized by the United States Olympic  
7 Committee.”

8 9. Pursuant to the SafeSport Code, Plaintiff Joseph Salim timely contested the “Notice of  
9 Director’s Decision,” and requested an arbitration hearing before JAMS.

10 10. On or about September 12, 2018, as required by the SafeSport Code, Plaintiff Joseph Salim  
11 submitted to an interview by Defendant U.S. CENTER FOR SAFESPORT. Defendant U.S. CENTER FOR  
12 SAFESPORT conducted this interview of Plaintiff Joseph Salim in person within this judicial district, at  
13 31111 Agoura Rd., Suite 225, Westlake Village, CA 91361.

14 11. The JAMS arbitration hearing was conducted on October 17, 2018. The Arbitration was  
15 conducted by video conference pursuant to the SafeSport Code; and Plaintiff Joseph Salim attended the  
16 Arbitration from within this judicial district, at 31111 Agoura Rd., Suite 225, Westlake Village, CA 91361.

17 12. On October 24, 2018, JAMS issued its Arbitration Award in this matter, ruling that Plaintiff  
18 Joseph Salim “is permanently prohibited from participating in any capacity, in any activity or competition  
19 authorized by, organized by, or under the auspices of the United States Olympic Committee, and/or a Local  
20 Affiliated Organization of a national governing body recognized by the United States Olympic Committee.”

### 21 JURISDICTION AND VENUE

22 13. This action is brought pursuant to Section 10 of the Federal Arbitration Act (hereinafter  
23 “FAA”), 9 U.S.C. § 10.

24 14. Venue is proper in this Court as it has diversity jurisdiction over this proceeding pursuant  
25 to 28 U.S.C. § 1332(a), because the amount in controversy, exclusive of interest and costs, exceeds \$75,000;  
26 and because Plaintiff is a citizen of Burbank, California and Defendant is an entity incorporated under the  
27 laws of Colorado and has its principal place of business in Denver, Colorado. Venue lies in this district  
28

1 under 28 U.S.C. §1391(b)(2) because a substantial part of the events giving rise to this claim occurred in this  
2 district.

3 **COUNT I**

4 **VACATUR OF OCTOBER 24, 2018 JAMS ARBITRATION AWARD**

5 15. Plaintiff Joseph Salim repeats and re-alleges each and every allegation set forth in Paragraphs  
6 1 through 14 of this Petition as fully set forth herein.

7 16. The Sanction, which amounts to a lifetime ban from coaching or teaching, violates public  
8 policy, in that it will permanently preclude Plaintiff from earning a living.

9 17. Based on the foregoing, the Arbitration Award should be vacated and set aside on the grounds  
10 that it violates public policy. Alternatively, the Arbitration Award should be remanded for the determination  
11 of a proportionate sanction.

12 18. Plaintiff Joseph Salim has no adequate remedy at law, as only a judgment vacating the  
13 Arbitrator's Award will provide him with the relief required under these circumstances.

14  
15 **WHEREFORE**, Plaintiff prays the judgment, order, and decree of this Court be as follows:

16 1. That this Court vacate the October 24, 2018 Arbitration Award in its entirety; or in the  
17 alternative, remand the Award for the determination of a proportionate sanction, and award such other relief  
18 as may be just and proper.

19 2. That Plaintiff be awarded the costs of suit incurred herein; and

20 3. That Plaintiff be awarded such other costs and relief as the court deems just and equitable.

21  
22 DATED: January 23, 2019

LAW OFFICES OF HOWARD L. JACOBS

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25 s/ Howard L. Jacobs

26 Howard L. Jacobs

27 Attorneys for Plaintiff JOSEPH SALIM  
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